

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN DAVID McGOVERN, and
MC EQUIPMENT HOLDINGS, LLC,

Defendants.

CR-16-22-GF-BMM

ORDER

The parties represent that they have entered into a global resolution which resolves three cases: (1) *United States v. Kevin McGovern et al.*, CR-16-22-GF-BMM; (2) *United States v. Kevin McGovern et al.*, CR-16-44-GF-BMM; and, (3) *United States v. Kevin McGovern et al.*, CR-16-80-GF-BMM. (See CR-16-80-GF-BMM, Doc. 39 at 1-2.) The Court previously granted temporarily Defendants' Ex Parte Motion to Change Plea Under Seal. (Doc. 160.)

The Government has now filed a response to Defendants' similar motion in CR-16-80-GF-BMM (Doc. 39) that has convinced this Court that filing the plea agreements in that case, and in the present case, would be inappropriate. The United States argues that sealing the agreements would violate the First

Amendment, absent a compelling interest, and Crime Victim Rights Act. No such compelling interest exists in this case.

Accordingly, IT IS ORDERED that the Court's temporary grant of Defendants' Motion to File Under Seal in CR-16-22-GF-BMM (Doc. 160) is AMENDED. The Court now DENIES Defendants' Motion to File Under Seal (Doc. 156). The Clerk shall unseal Defendants' Motion to File Under Seal (Doc. 156) and the plea agreements (Docs. 162, 163) as of this order.

DATED this 22nd day of February, 2017.



Brian Morris
United States District Court Judge